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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,355	02/21/2002	Krishnasamy Anandakumar	TI-29773	9762

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EXAMINER

PIERRE, MYRIAM

ART UNIT	PAPER NUMBER
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2626

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/081,355	ANANDAKUMAR ET AL.	
	Examiner	Art Unit	
	Myriam Pierre	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 60270264.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This is in response to Remarks, filed 10/02/06.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Gao et al.

(6,173,257).

As to claim 1, Gao et al. teach

deferring truncation of an active frame the silence is detected first before the classification of the signal then it is encoded (col. 4 lines 52-54);

and truncating a silence frame (col. 4 lines 52-54 and col. 18 lines 4-7; noise or silence frames are assigned 0 value which reduces or truncates the amount of bits used in the frame).

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As to claim 2, which depends on claim 1, Gao et al. teach
said packetized speech includes CELP-encoded frames (col. 8 lines 34-37); and
said truncating a silence frame includes inherently truncating an excitation for said
silence frame (col. 4 lines 52-54 and col. 18 lines 4-7)

As to claim 3, which depends on claim 1, Gao et al. teach
expanding an active frame according to a voicing classification for said active frame (col.
4 lines 52-60).

As to claim 4, Gao et al. teach
classifying a frame as voice or not (col. 4 lines 52-60);
expanding a voiced frame by a multiple of the pitch of said voice frame (Fig. 2 elements
279 and 263).

As to claim 5, which depends on claim 4, Gao et al. teach
said frames are CELP-encoded frames (col. 8 lines 34-37)
said expanding a voice frame includes expanding an excitation for said voice frame by a
multiple of the pitch of said voiced frame (col 6 lines 31-40).

As to claim 6, which depends on claim 4, Gao et al. teach
said classifying a frame of step (a) classifies an active frame as one of (i) voiced (ii)
unvoiced (col. 4 lines 52-60); and

expanding an unvoiced frame includes expanding an excitation for said unvoiced frame with a random fixed-codebook vector (Fig. 2 elements 257 and 261; adaptive or random and fixed codebook used to expand via gain in element 259).

As to claim 7, Gao et al. teach

an input for receiving CELP-encoding frames (col. 9 lines 25-50)

a decoder coupled to said input (Fig. 1a element 133)

a play-out scheduler coupled to input (Table 1 col. 9)

decoding operable to provide expansion, wherein said expansion is a multiple pitch for said voiced frame, wherein said expansion is a multiple of the pitch for said voice frame (col. 36 lines 65-line 10).

As to claim 8, which depends on claim 7, Gao et al. teach

decoding operable to provide truncation of a frame (col. 28 lines 42-44 and 56-59).

the response to said play-out scheduler only when said frame is a silence frame (Table 1 col. 9; silence frame is noise frame; and col. 13 lines 57-64)

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. see PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myriam Pierre whose telephone number is 571-272-7611. The examiner can normally be reached on Monday - Friday from 5:30 a.m. - 2:00p.m.

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6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information as to the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). 03/15/2006

Myriam Pierre
AU 2626
12/20/06


ANGELA ARMSTRONG
PRIMARY EXAMINER